



Denise
Gawlinski/R5/USEPA/US

05/03/2007 06:13 PM

To

Subject Fw: Zeeland Township Resolution on Kalamazoo River
Superfund Site materials

We will work with the program on a response to Zeeland Township.

Denise Gawlinski, Chief
Community Involvement Section
Office of Public Affairs (P-19J)
U.S. EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604
(312) 886-9859; (312) 353-1155 (fax)
(800) 621-8431 (toll-free)
gawlinski denise@epa.gov

US EPA RECORDS CENTER REGION 5



406916

----- Forwarded by Denise Gawlinski/R5/USEPA/US on 05/03/2007 05 47 PM -----



"Brad Slagh - Zeeland
Charter Township"
<Brad.Slagh@zeelandtp.or
g>

05/03/2007 04.21 PM

To Mary Gade/R5/USEPA/US@EPA, Denise
Gawlinski/R5/USEPA/US@EPA

cc

Subject Zeeland Township Resolution on Kalamazoo River
Superfund Site materials

Ms. Gawlinski & Ms. Gade

Wanted to make sure that you both received a copy of the Resolution, Zeeland Charter Township Board, passed as a direct result of the concerns of both our citizens and those of our surrounding communities.

So that you understand our position, Waste Management's Autumn Hills Landfill has been a very good neighbor and worked very hard to maintain that relationship with our community. It is possible (even likely) that some materials have gotten into Autumn Hills that we (local citizens) wouldn't want to know about. We believe that the amounts of that type material accepted are far below tolerances allowed under their permit.

From my conversations with our Board Members there is no doubt that it is desirable to work toward cleaning up the Kalamazoo River. But bottom line for our community is that if it is hazardous material that must be taken out the river then it ought to be treated as a hazardous material when being placed in a landfill. We know that some of the materials placed in the landfill leach out and will eventually end up in the wastewater treatment plant. Will that treatment plant screen those PCBs out before they are released to the Macatawa River?

The attached WEB Site talks about the ability of PCBs to be suspended in the air for 10 days in dust form. This land fill is regularly drilled for methane wells. When the river materials, even if buried initially, are brought to the surface from the drill holes they will be available to be kicked up as dust from the surface of the site.

We do not believe that it is in the best interest of Southern Ottawa County to have this material placed in the

Autumn Hills Land Fill.

Bradley Slagh

Supervisor

Zeeland Charter Township

616-772-6701

brad.slagh@zeelandtwp.org



_0503172108_001 pdf

EXCERPTS OF MINUTES

At a regular meeting of the Township Board of Zeeland Charter Township (the "Township"), Ottawa County, Michigan, held at 6582 Byron Road, Zeeland, Michigan, on the 1st day of May, 2007, at 7:15 p.m., local time.

PRESENT: Slagh, Evink, Nykamp, Oonk, Barkel, Compagner

ABSENT: Myaard

After certain other matters of business were concluded, the Supervisor stated the next order of business was the consideration of a proposed resolution concerning the disposal of waste materials removed from the Kalamazoo River Superfund Site. After discussion, the following resolution was offered by Oonk and supported by Barkel.

RESOLUTION

WHEREAS, the Michigan Department of Environmental Quality ("MDEQ") and the Federal Environmental Protection Agency ("EPA") have declared property along the Kalamazoo River in Kalamazoo County and Allegan County as the Allied Paper, Inc./Portage Creek/Kalamazoo River Superfund Site (EPA ID No. MID006007306; the "Kalamazoo River Superfund Site"), which is presently divided into five clean-up projects; and

WHEREAS, according to the MDEQ and the EPA, the primary site contaminant of the Kalamazoo River Superfund Site is polychlorinated biphenyls ("PCBs"), a hazardous substance and a probable human carcinogen; and

WHEREAS, since November 2004, the EPA has been involved in confidential discussions to resolve differences between the mediating parties that were delaying the clean-up and restoration of the Kalamazoo River Superfund Site; and

WHEREAS, on February 21, 2007, the EPA entered into agreements with the potentially responsible parties that required them to perform a removal action in the Plainwell Impoundment Area, a portion of the Kalamazoo River Superfund Site, which will include the removal of about 132,000 cubic yards of waste material, containing 4,400 pounds of PCBs from the Plainwell Impoundment Area, to be disposed of into existing landfills in the Allied Paper landfill in the Kalamazoo Area, and which was scheduled to begin this spring; and

WHEREAS, through a press release dated April 13, 2007 (No. 07-OPA059), the EPA announced that it would delay the start of the Kalamazoo River Superfund Site clean-up activity until May 5, that it would seek community input on the plans to dispose of the PCB contaminated sediment excavated from the Kalamazoo River Superfund Site at the Allied Paper landfill in Kalamazoo, and that specifically stated: "The Agencies (MDEQ and EPA) are not considering alternative sediment disposal plans."; and

WHEREAS, the EPA issued a second press release dated April 25, 2007 (No. 07-OPA068), which stated that the "EPA has clearly heard the concerns of Kalamazoo officials and residents" and therefore announced a tentative agreement that the PCB contaminated sediment removed from an area around the Plainwell Impoundment Area would not be sent to the Allied Paper disposal area in Kalamazoo, but rather the clean-up work would resume on May 2, and the material excavated from the Kalamazoo River Superfund Site would be sent to permitted commercial landfills; and

WHEREAS, the Township Board questions whether the MDEQ and the EPA provided appropriate due process of law by notifying the general public through a press release (No. 07-OPA059) that the agencies were not considering any alternative sediment disposal plans yet nonetheless subsequently announced a tentative agreement that included an alternative sediment disposal plan; and

WHEREAS, on April 27, 2007, the *Grand Rapids Press* reported that some PCB contaminated soil from the Kalamazoo River Superfund Site clean-up could be disposed of at the Autumn Hills landfill, which is owned and operated by Waste Management, and is generally located on 56th Avenue at Adams Street in the Township; and

WHEREAS, the *Grand Rapids Press* further reported on April 27, 2007 that EPA officials said they would not expect an outcry from Zeeland area residents, and quoted Mark Hanes of the EPA as stating, "If that facility operates without a whole lot of public outcry already, they shouldn't have any concerns about this. But we'll check into that community, as well."; and

WHEREAS, the Autumn Hills landfill is a Type-II landfill, meaning it is not permitted to accept hazardous waste materials, and therefore any materials disposed of at the landfill must not include hazardous wastes; and

WHEREAS, even to the extent that the waste materials to be disposed of in the Autumn Hills landfill were to have PCBs in an amount less than 50 parts per million, such that the waste material is not considered to be hazardous, the Township still has significant environmental health and other concerns similar to those that were raised by the residents and officials in the Kalamazoo County area, with respect to the disposal of such waste materials in a landfill within the Township; and

WHEREAS, the Township also has additional concerns with the disposal of such waste materials at a landfill within the Township that were not raised by the residents and officials of Kalamazoo; and

WHEREAS, in particular, the leaders, officials, residents, businesses and industries of the Township did not create this environmental health problem at the Kalamazoo River Superfund Site, or have any input with respect to the plans involved in addressing its remediation; and

WHEREAS, the waste materials to be removed from the Kalamazoo River Superfund Site would have to be trucked out of Kalamazoo and/or Allegan Counties and into Ottawa County and the Township, in order to be disposed at the Autumn Hills landfill, thereby traversing roads in our community, posing unknown and unacceptable environmental health risks to Township residents; and

WHEREAS, unlike the communities in Kalamazoo County, neither the Township nor Ottawa County have benefited from the businesses that caused the environmental contamination in the first place (e.g., no benefits from the property tax base, employment, etc.); and

WHEREAS, the Township Board wishes to make known its desire to the MDEQ and the EPA that it is unacceptable in the minds of Township officials to have any waste materials from the Kalamazoo River Superfund Site project disposed of at a landfill within the Township.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Township Board is opposed to any waste materials, whether deemed hazardous or not, coming from the dredging of the Kalamazoo River Superfund Site clean-up activities being disposed of in a landfill within the Township.

2. All resolutions in conflict in whole or in part are revoked to the extent of such conflict.

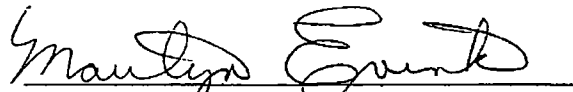
YES: Slagh, Evink, Nykamp, Oonk, Barkel, Compagner

NO: none

ABSENT: Myaard

RESOLUTION DECLARED ADOPTED.

Dated: May 1, 2007


Marilyn Evink, Clerk
Zeeland Charter Township

RB070790

CERTIFICATE

I, the undersigned, the Clerk for the Charter Township of Zeeland, Ottawa County, Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting held on the 1st day of May, 2007. I further certify that the public notice of the meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.



Marilyn Evink, Clerk
Zeeland Charter Township

RB070790